

# MISSISSIPPI LEGISLATURE

## SENATE.

WEDNESDAY, Jan. 7, 1846.

The president announced the appointment of the standing committees, as follows:

**Judiciary Committee**—Messrs. Guion, Dabney, Miles, Fox and Price.

**On Finance**—Matthews, Lipscomb, Tilman, Metcalf and Williams.

**Claims**—Boone, Miles, and Horne.

**Accounts**—Adams, Wall, Hicks, Lansdale and Durr.

**Education**—Acker, Turner, Stewart, Dabney and Lumpkin.

**Banks and Currency**—Briscoe, Turner, Labauve, Tilman, Booth.

**Internal Improvements**—Guion, Adams, Lumpkin, Ramsey and Dupree.

**Propositions and Grievances**—Durr, Dupree and Fox.

**Seminary Fund**—Lipscomb Pegues, Metcalf, Horne and Miles.

**Public Buildings**—Fox Stewart and Johnson.

**Engrossed Bills**—Labauve, Johnson and Lansdale.

**Enrolled Bills**—Price Nicholson and Williams.

**Elections** Acker Ramsey and Dupree.

Mr. BRISCOE presented a memorial from Oakland college, exhibiting an interesting statement of the financial condition of the institution, and leaving it with the state legislature to determine whether the fostering care of the state shall be extended to the college, or it shall be permitted to continue to labor under its present embarrassments. On motion, the memorial was referred to a select committee.

Petition of Charles Anderson, of Pontotoc, that a warrant, which was accidentally burnt, the property of said Anderson, be made good by the state.—Referred to a committee of 3—Mr. ACKER chairman.

Mr. MATTHEWS, from the committee to which was referred the governor's message and accompanying documents, made a report on behalf of said committee, and moved that the same number of the message and accompanying documents be printed as were ordered to be printed of the governor's message.—Agreed to.

Mr. ADAMS of Jasper, introduced a joint resolution, for the meeting of both houses in the hall of the house of representatives, on Monday next, for the purpose of going into the election of United States senator. After the rejection of several propositions on the part of senators, to change the day proposed for the election, Saturday next was substituted for Monday; and with this amendment, the resolution passed the senate.

A bill was introduced authorizing the probate judge of Copiah county to hold his courts in the clerk's office of said county; which was, by permission, read a second time.

Mr. LIPSCOMB of Lowndes, introduced a bill for the benefit of married women living on sixteenth sections. The bill proposes that one-third part of interest held by husbands in such lands, by leases, shall accrue to the widows of said husbands, on the decease of the latter.

On motion of Mr. Matthews, the bill was referred to the committee on the judiciary.

A recess of ten minutes was taken by the senate.

After the recess, a message was received from the house, notifying the senate that the time had arrived for the joint meeting of the two houses to go into the election of sergeant-at-arms and state librarian; whereupon the senate proceeded to the hall of the house of representatives for the purpose.

Third ballot, the present keeper of the capitol and state librarian was re-elected to fill those offices.

On the third ballot, Reuben Leach, of Copiah, received a majority of the votes given, for sergeant-at-arms, and was declared duly elected.

The senate then adjourned till 10 o'clock to-morrow.

## HOUSE OF REPRESENTATIVES.

WEDNESDAY Jan. 7, 1846.

House met pursuant to adjournment. Mr. HARRISON of Pontola, presented his credentials and was sworn. The chair announced the following standing committees:

**On Elections**—Messrs Gilliland, Holleman, Pope, Pettis and Binford.

**Ways and Means**—Wade, Gibb, Emanuel, Green, of Hinds, Abbot and Weathersby.

**Unfinished Business**—Spann Torrey Gay, White and Metcalf.

**Petitions and Grievances**—Singleton York, Fowles, Cynam, Campbell, Moody, Nash.

**Judiciary**—Totten, Smiley, Fontaine Harris, North, Lemley and Maxey.

**Internal Improvements**—Farrar Malone, Kennedy, Allen, Dilworth of Monroe, Bailey and Carson.

**County Bounds**—Warren Chewing McInnis, Greaves, Hughes, Alcorn.

**Joint standing committee on Claims**—Connell, Huie, Potts, A. F. Smith, Millsaps.

**Enrolled Bills**—Sessions, Walker, White, Adams and Simmons.

**Printing**—McCaughan, Woodbury Netterville, Rossman, Mays and Griffin.

On motion of Mr TOTTEN, Campbell was added to the committee on the judiciary.

On motion of Mr Farrar, Mr Sharkey was added to the committee on internal improvements.

On motion of Mr Hinds, Mr Beene was added to the same committee.

On motion of Mr Wade, Mr Kennedy was added to committee ways and means.

On motion of A. F. Smith, Adams was added to committee on claims.

On motion of Greaves, White was added to the committee on internal improvements.

On motion of Metcalf, McNabb was added to same committee.

On motion of Connell, Abbot was added to committee on military.

Connell moved that a committee of three be appointed to examine the documents accompanying the Governor's message, and to select such of them as, in their opinion, ought to be printed—agreed to; and Messrs Connell, Fontaine, and Emanuel were appointed.

On motion of ALLEN, a committee on education was appointed, consisting of Messrs. Allen, Cushman, Sharkey and Connell.

A message was received from the Senate, informing the House, that with their concurrence the two houses would meet in the hall of representatives, on Saturday at 11 o'clock, A. M., for the purpose of electing a U. S. Senator to fill the vacancy occasioned by the resignation of R. J. Walker; and also to elect a U. S. senator for the full term of six years.

The house took a recess for the purpose of preparing the hall for the reception of the senate in order to go into the election of sergeant-at-arms and librarian. The house being called to order, and the senate having entered the two houses proceeded to said election. [See this days proceedings of the senate.]

House met pursuant to adjournment. The governor's message being the order of the day, the house resolved itself into committee of the whole, Wade in the chair.

GREAVES moved that as much of the message as related to the quo warranto act be referred to a select committee of five, to be appointed by the speaker.

On motion, the blank in the resolution of GREAVES, was filled with the number fifteen, and the resolution adopted. On motion of CUSHMAN, the committee rose and reported progress.

On motion of TOTTEN, the report of the auditor of public accounts was read and referred to the joint committee on public printing.

House adjourned till ten o'clock to-morrow.

SENATE.

THURSDAY, Jan. 8, 1846.

The senate met pursuant to adjournment, and previous day's journal read.

The chairman announced the following as committee on the penitentiary: Beene, Dupree, Adams, Williams and Nicholson.

Durr submitted claims of Wilson, M. D.—referred.

Price, of Tippah, presented a petition of sundry citizens of his county for an amendment of the revenue laws—to repeal the law imposing double taxes, and remit the fines, &c. Petition referred to a committee of 5. Also, the claims of S. N. Pryor, of Tippah.

Adams offered the following resolution: Resolved, the house of representatives concurring, that a joint select committee of seven be appointed on the part of the Senate, and — on the part of the house of representatives, whose duty it shall be to report a bill apportioning the number of senators and representatives in the legislature at the next biennial and future sessions thereof.

A message was received from the house of representatives, announcing the appointment of the following joint committees on the part of the house:

**On Claims**—Connell, Huie, Potts, Smith and Millsaps.

**Accounts**—Sharkey, Hineman, Ewing and Rushing.

**Enrolled Bills**—Sessions, Walker, White, Adams and Simmons.

Also, the name of Adams was added to the committee on claims.

The bill to authorize the probate judge of Pike county to hold his courts in the clerk's office of said county—which was read twice yesterday—was taken up, and passed the senate.

Nicholson of Pike, introduced a bill changing the time of holding the circuit courts in this state; which was read first

and second times, when, at the instance of senator Guion, and by consent of the introducer, it was referred to a select committee of one from each judicial district of the state.

Acker, on the part of the select committee to which the subject was referred, presented a bill for the relief of Charles Anderson, of Pontotoc. The bill authorizes the auditor to issue a warrant of same amount as that lost by said Anderson, by burning.

The senate went into committee of the whole, on the Governor's message.

Gen. Briscoe moved that that part of the message relating to the quo warranto, bank, &c., be referred to the committee on banks and currency.

Adams moved that that part of the governor's message relating to the eastern railroad be referred to the standing committee on internal improvements—passed.

Labauve offered a resolution to refer that part of the governor's message relating to the Planters' bank bonds to the judiciary committee. He also moved that so much of the message of the governor as related to the levee be referred to the committee on internal improvements—carried.

Boone offered a resolution that so much of the governor's message as relates to the 500,000 acres of lands donated by congress, be referred to a joint select committee of both houses—passed.

Adams offered a resolution, that that part of the governor's message relating to the execution of a bust of general Jackson in American marble, by an American artist, and placing the same in the niche of the rotundo of the capitol, be referred to a select committee of five—carried.

Labauve moved that so much of the governor's message as relates to education, be referred to the committee on education.

Lumpkin offered a resolution to refer that part of the governor's message which relates to the state seminary, to the committee on education—carried.

Boone offered a resolution, that so much of the governor's message as relates to the Chickasaw lands be referred to a committee to consist of members from the Chickasaw counties.

Adams offered a resolution to refer all that part of the message which relates to a lunatic asylum to a select committee of five.

Labauve offered a resolution to refer that part of the message in relation to school land to the judiciary committee, in order to elicit information respecting the situation of those lands.

Adams offered a resolution to refer so much of the message as relates to the finances of the state, to the committee on finance.

Williams offered a resolution to refer so much of the message as relates to the militia and arms of the state to the committee on the militia.

Boone offered a resolution to refer that part of the message which relates to the contingent fund to the committee on finance.

A resolution was offered, that so much of the message as relates to courts and criminal practice be referred to the judiciary committee.

A resolution was offered that so much of the message as relates to amendments of the constitution be referred to the judiciary committee. Committee rose.

Fox, from the committee of the whole, reported resolutions—report received.

The resolution in relation to the lunatic asylum was referred to a committee of five.

The resolution on banks and currency was moved by Labauve to be referred to the judiciary committee.

A message was received from the house announcing that that body was ready to receive the senate and join with it in counting votes for governor, &c.; whereupon the senate proceeded to the hall of the house of representatives, after getting through this business.

The senate adjourned till to-morrow at 10 o'clock.

HOUSE OF REPRESENTATIVES.

THURSDAY, Jan. 8, 1846.

The house met pursuant to adjournment. McAfee of Covington, presented his credentials and was sworn. The chair announced the following members on the committee of Chickasaw purchase: Messrs. Malone, Dilworth of Tishomingo, Berry of Tippah, Robertson, May, Cannon, Harrison, Beene, Walker, Moore, Connell and Leigh.

On motion of KENNEDY, Binford was added to the committee on accounts.

On motion of LEMLEY, McDonald was added to the committee on ways and means.

On motion of BERRY of Tippah Green of Tippah was added to the committee on Chickasaw school fund.

On motion of Cannon, Abbot, was added to the committee on the penitentiary.

On motion of Harris, Adams was added to the committee on the military.

On motion of Abbot, Cannon was added to the committee on education.

On motion of Holleman, McAfee was added to the committee on elections.

On motion of Smiley, Green of Hinds was added to the committee on elections.

On motion of Metcalf, Loper was added to the committee on education.

North presented the petition of James B. Newman of Adams county; referred to the committee on claims.

Potts presented a petition, of certain citizens of Marshall county, requesting a change of the county line; referred to committee on county boundaries.

Holleman presented a petition of Michael Moore; referred to the committee on claims.

Farrar presented a petition of W. B. Taylor; referred to a select committee consisting of Farrar, Lemely, Spann, Crane, and Ewing.

Hughes presented a petition of certain citizens of Winston county, relating to the education of the deaf and dumb; referred to the committee on education.

On motion of Bailey, Harris was added to the committee on internal improvements.

The house took a recess for the purpose of preparing the hall for the reception of the senate, in accordance with the joint resolution for opening and publishing the votes for governor of the state. At 12 o'clock, A. M., the senate preceded by the sergeant-at-arms, came into the hall and took the seats assigned to them. The votes being counted, it appeared, that Albert G. Brown had received the greatest number of votes.—The speaker then declared that Albert G. Brown was duly and constitutionally elected governor of Mississippi.

House then adjourned till 3 o'clock, P. M.

EVENING SESSION.

The house met. On motion of Warren, the house went into committee of whole. Wade in the chair, for the purpose of referring that portion of the governor's message which relates to the donation of five hundred thousand acres of land to a committee. Warren offered a resolution, that the portion of the governor's message which relates to land donation, should be referred to a select committee of,—members, to be composed of members from every part of the state. Adams moved that the blank be filled with the number twelve. The resolution was agreed to.

On motion of Dilworth, of Tishomingo, the committee rose and reported progress. The report of the committee of the whole was then received by the house and laid on the table.

Cushman offered a resolution, that a joint committee of five on the part of the house, and — on the part of the senate, be appointed to wait on his excellency the Governor, and inform him that he has been duly and constitutionally elected Governor of the State; and to ask him at what time it would suit his convenience to be inaugurated; which was adopted, and Cushman, Greaves, Simrell, Brooks and Thompson were appointed on the part of the house.

Adams offered a resolution, that the sergeant-at-arms be directed to distribute the public documents as they are printed in an equal manner among the members; which was adopted.

On motion of Cannon, a resolution was adopted that the keeper of the capitol cause locks and keys to be attached to the desks of the officers of the house.

Connell made a report from the select committee appointed to examine the documents accompanying the Governor's message; which was read and received.

Metcalf, from the committee to whom was referred that portion of the Governor's message which relates to the late General Andrew Jackson, submitted a report, which recommended that a statue of him should be made by American artists, out of American marble, and placed in the rotunda of the capitol. The report was agreed to.

Leonard offered a resolution to instruct the committee on the judiciary to report a bill for changing the law concerning the judges of the probate courts, and to compel them to give bond for performance of duty.

Alcorn offered a resolution, that the ministers of the gospel residing in this city be requested to attend the meeting of this house on each morning of the session, or as often as may suit their convenience, and to open their deliberations by prayer; adopted.

The House then adjourned till ten o'clock to-morrow.

SENATE.

FRIDAY, Jan. 9, 1846.

The senate met pursuant to adjournment, and the previous day's journal was read.

The chair announced the appointment of the select committee on the bill to

change the times of holding the circuit courts in the fifth judicial district of the state, Messrs. Dabney, Stewart, Tilman, Guion, Adams, Booth, and Price.

Dupree presented a petition of J. P. Collins—referred to a committee of three.

Matthews presented a claim of the sheriff of Tunica—referred to the committee on claims.

Boone presented the claim of A. J. Jones; which was referred to the same committee.

Acker presented the petition of Isaac Chrisman; which was referred to the committee on propositions and grievances.

Lipscomb presented the memorial of citizens of Columbus, for the incorporation of Hercules Hook and Ladder company; referred to select committee of three.

The select committee to whom the subject was referred, reported a bill prescribing the times of holding the probate courts of Chickasaw, Monroe and Tishomingo counties; which was read first and second times. Dabney offered to amend by inserting Noxubee after Tishomingo; which was adopted, and the bill engrossed.

A report was received from the secretary of state in relation to the "slave amendment" of the constitution, and showing that an aggregate vote of 25,127 was cast at the late election for the amendment, and 3,658 votes against it, &c.; which was referred to the committee on the judiciary.

A message was received from the house informing the senate of the passage of resolutions for the inauguration of governor; which were concurred in, and a committee appointed to act with the house committee.

Price presented the petition of sundry citizens of Marshall praying that the time of holding the circuit court be changed to the second Monday of June and December; which was appropriately referred.

Miles introduced a bill for the relief of John H. Rollins, authorizing the auditor to issue a warrant for the balance of salary claimed by judge Rollins. The bill, after the second reading, was referred to the committee on claims.

Turner offered a resolution for the relief of judge Sharkey from a fine of forfeiture, and moved its reference to the committee on claims, with instructions to inquire into the case, and report accordingly; adopted.

The unfinished business of yesterday came up, in committee of the whole, on the governor's message. The resolutions, offered yesterday, in relation to the quo warranto, the levee, the 500,000 acres of land, and the placing a statue of general Jackson in the niche of the rotundo of the capitol, were severally adopted.

The resolution respecting the state seminary was amended, on motion of Pegues, by referring it to the committee on the seminary fund, instead of the committee on education, and adopted.

The resolutions respecting education, the Chickasaw school lands, the establishment of a lunatic asylum, the finances, the militia, contingent fund, changing circuit court terms, and respecting criminal practice, and amendments to the constitution, were severally adopted.

Matthews, on motion of Adams, was put on the penitentiary committee, in place of the latter.

The bill prescribing the times of holding the probate courts of Chickasaw, Monroe, Tishomingo and Noxubee counties, was read a third time and passed.

Adams called up from the table the apportionment resolution, and advocated enacting an apportionment law the present session.

Turner moved to amend—that so much of the governor's message as relates to the census and apportionment of representatives, be referred to a joint committee of seven on the part of senate, and — on part of house—adopted.

Lansdale introduced a bill to divide the state into four congressional districts—read twice, and on motion, referred to a joint select committee of five on part of senate, and — on part of the house. Committee on part of senate: Lansdale, Miles, Acker, Durr, Labauve.

Miles introduced a bill to legalize a special term of the Madison county circuit court, ordered on the first Monday of February, 1846—read, and passed.

Turner offered a resolution that the clergymen resident in the city and vicinity, be requested to officiate in the senate as chaplain. Resolution laid on the table.

The joint select committee appointed to wait on the governor, announced that he would be ready to-morrow, at 11 o'clock, A. M. for inauguration.

Adams offered the following resolution, viz: Resolved, (the house of representatives concurring) that a committee of three be appointed on the part of the